

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	Case No. 1:16-cr-64-AJT
MOHAMED ELHASSAN,)	
)	
Defendant.)	
_____)	

ORDER

A status hearing was held in this case on September 23, 2016, at which time the Court was advised that the United States has made classified information available to the defendant; and in order to facilitate the disposition of any issues related thereto in accordance with Sections 5 and 6 of the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3 § 5, 6, it is hereby ORDERED as follows:

1. In the event that the defendants reasonably expect to cause the disclosure of classified information in any manner in connection with any trial or pretrial proceeding in this action or otherwise, the defendants shall on or before November 18, 2016 notify in writing the counsel of record for the United States and also the Court. Such notice shall include a brief description of the classified information at issue. If the defendants learn of additional classified information they reasonably expect to disclose in this proceeding, they shall provide supplemental notice to the United States and the Court as soon as possible thereafter and shall include a brief description of the classified information. The defendants shall not disclose any information known or believed to be classified in connection to a trial or pretrial proceeding until notice has been given, as required herein, and the United States has

been afforded a reasonable opportunity to proceed as set forth on paragraph 2 of this ORDER, and until the time for the United States to appeal any determination thereunder pursuant to Section 7 of CIPA has expired, or any such appeal is decided.

2. On or before December 23, 2016, the United States may request that the Court conduct a hearing to make all determinations concerning the use, relevance, or admissibility of classified information that would otherwise be made during the trial or pretrial proceedings. At the time any such request is made, the United States shall provide to the defendants notice of the specific classified information at issue.
3. The Court will hold a status conference on December 16, 2016 at 9:00 a.m.

The Clerk is directed to forward copies of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
September 23, 2016